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PP RUEHBZ RUEHDU RUEHGI RUEHJO RUEHMA RUEHMR RUEHPA RUEHRN RUEHTRO

DE RUEHAN #0767/01 3131525

ZNR UUUUU ZZH

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FM AMEMBASSY ANTANANARIVO

TO RUEHC/SECSTATE WASHDC PRIORITY 2995

INFO RUEHZO/AFRICAN UNION COLLECTIVE PRIORITY

RUEHBS/USEU BRUSSELS PRIORITY

RUEHC/DEPT OF LABOR WASHDC PRIORITY

RUEHRC/DEPT OF AGRICULTURE WASHINGTON DC PRIORITY

RUCPDOC/DEPT OF COMMERCE WASHDC PRIORITY

RUEATRS/DEPT OF TREASURY WASHDC PRIORITY

RHMFISS/CDR USAFRICOM STUTTGART GE PRIORITY

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UNCLAS SECTION 01 OF 04 ANTANANARIVO 000767

SENSITIVE

SIPDIS

STATE FOR AF/E MARIA BEYZEROV AND EEB/TPP/BTA AHOLMAN

PARIS FOR WALLACE BAIN

LONDON FOR PETER LORD

STATE PLEASE PASS USTR FOR WJACKSON AND CHAMILTON

DOC FOR RTELCHIN

TREAS FOR FBOYE

E.O. 12958: N/A

TAGS: PGOV MA

SUBJECT: MALAGASY LEADERS STRIKE A DEAL IN ADDIS ABABA

REF: A. 09 ANTANANARIVO 752

1B. 09 ANTANANARIVO 747

11. (SBU) SUMMARY: This is an action request; see paragraph 112. Three months after Madagascar's four main political leaders signed their breakthrough Transition Charter in Maputo, the long-awaited transition government is finally on the starting blocks. Over four days of talks in Addis Ababa, Andry "TGV" Rajoelina and former Presidents Ravalomanana, Ratsiraka, and Zafy reached agreement on almost all of the top positions in the transition government, as well as a number of modifications to the August 9 Charter that should allow them to move beyond the current political impasse: Rajoelina keeps his position as president and head of state, Ravalomanana maintains influence without personally participating, Ratsiraka and Zafy keep their disproportionately large representation in all of the transition bodies, and the remaining details to be decided, though not insignificant, will not require further "summit-level" talks. While imperfect, this agreement is a breakthrough that offers the first real hope that Madagascar will soon move from crisis to transition, and plausibly hold free and fair elections by the end of 2010. The agreement has already garnered praise from UN SYG Ban Ki-Moon and French FM Kouchner; Post strongly urges that vocal support follow from Washington as soon as possible (suggested text in paragraph 12). END SUMMARY.

SUBSTANTIAL PROGRESS IN IMPLEMENTING THE MAPUTO ACCORDS

12. (SBU) In the wee hours of November 7, the four leaders signed an addendum to the August 9 Charter of the Transition, finally naming individuals to most of the key positions in the transition government, and making some slight modifications to the original charter. Rajoelina remains president and head of state, but shares power with two "co-presidents": Fetison Andrianirina, a lead negotiator within Ravalomanana's movement, and Emmanuel Rakotovahiny, nominated in October by Zafy for the position of vice president, which has now been eliminated. The two co-presidents make up a "Presidential Council", charged with "assisting" the president; their signature is required on presidential acts taken in cabinet meetings, but it remains unclear how much influence they'll have beyond this advisory capacity.

¶3. (SBU) Eugene Mangalaza, a Ratsiraka nominee accepted in October by the four movements as a consensus Prime Minister, retains his position, and may now be able to take the reigns of government; his nomination had been blocked by outgoing PM Roindéfö Monja, who at present has not been given any role in the transition government. Mangalaza will have three vice prime ministers (one each from the other three movements), and there will be 31 cabinet-level positions - six for each of the political movements, plus an additional seven for "other entities", expected to include civil society organizations and the business community. Assignment of specific ministries began in Addis and will continue in Madagascar this week; there is already agreement on at least seven ministries, including interior. The most contentious remaining portfolios are justice, finance, and mines and hydrocarbons.

¶4. (SBU) The four also reached agreement on the basic composition and leadership of the other transitional government bodies, although each movement will now have to directly nominate roughly 80 individuals to fill their respective quotas across the six separate entities. These are as follows:

- Mamy Rakotoarivelô, nominated by Ravalomanana, will be President of the Transition Congress (Congrès de Transition, equivalent to the former National Assembly), with 52 members per movement, and 50 for "other entities", totaling 258 members.

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- A Rajoelina nominee will be President of the High Transition Council (Conseil Supérieur de Transition, equivalent to the former Senate), with 13 members per movement, totaling 65.

- Albert Zafy himself will be President of the Council for National Reconciliation (Conseil National de Réconciliation, or CNR), with two members per movement in addition to Zafy, totaling nine.

- The High Transition Court (Haute Cour de Transition) will have 11 members, four of which will be directly nominated by the political movements, and the remaining seven will be nominated by other government bodies listed here.

- The Economic and Social Council (Conseil Économique et Social) will have 72 members, with 10 per movement and 32 for civil society organizations.

- The Think Tank on Defense and National Security (Comité de Reflexion sur la Défense et la Sécurité Nationale) will have eight members, with two per movement.

¶5. (SBU) In addition, they have committed to implementing the planned National Independent Electoral Commission (Commission Electorale Nationale Indépendante, or CENI) no later than December 2009, as part of the first national conference. Article 12 of the addendum also reiterates their request for the African Union to set up a follow-up mechanism in accordance with the original charter, to remain involved in the implementation of the charter.

POSITIVE SIGNS

¶6. (SBU) Overall, this agreement is an important, positive step forward. The selection of top-level leadership (with buy-in from Rajoelina and Ravalomanana) for these key positions clears the path to form the rest of the transition bodies. Most of the key stakeholders are represented, even if some of the smaller interests (such as former PM Monja's limited support base) have missed out on this round. Just as importantly, there is no need for any further "summits",

either here or abroad - none of the remaining positions should require the personal intervention of the four leaders, even if there are still some contentious ministerial positions left to be decided.

¶7. (SBU) This agreement also confirms support for the original election calendar put forth in the Maputo charter. Once the CNR is formed (under Zafy), a new round of "national meetings" will take place, during which the CENI (electoral commission) will be formed. Early estimates for a referendum on a revised constitution range from January to May (despite the rainy season), and subsequent elections could take place as early as June - but no later than November, per the charter. According to UN Senior Mediator Tiebile Drame, the GOM will need significant donor support for the CNR and its work, which will have a direct impact on the revised constitution, and on the electoral calendar itself; post is evaluating avenues for possibly providing assistance. Also of note is a new provision in this addendum requiring the president and the co-presidents to step down 60 days before elections if they intend to participate in them. The addendum maintains the restrictions against any other members of the government running in the election.

CHALLENGES REMAIN

¶8. (SBU) Mangalaza, now back in Tana, said that the government would be formed rapidly, and they would quickly get to work implementing the charter, but there remain several points of possible contention in the coming weeks. The justice, finance, and mines and hydrocarbons portfolios will be the most difficult to assign, as all four movements seek to control these powerful ministries. UN Mediator

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Tiebile Drame indicated in a briefing on November 9 that finance will probably go to the Ratsiraka movement, but justice is likely to be particularly difficult given the competing interests over the charter's amnesty provisions and the challenges of applying Madagascar's shifting legal bases to events over the duration of the crisis so far and the upcoming transition period.

¶9. (SBU) Once the government is formed, it is also not a given that these nominees will mesh well for the duration of the transition. Ravalomanana's appointment of Fetison, instead of a more divisive character such as former Ravalomanana PM-designate Manandafy Rakotonirina, is a positive sign; Drame is optimistic that they will be able to work together. However, there remain many opportunities for all sides to "reinterpret" the documents to serve their ends; already, questions have arisen as to the balance of power between the president and the co-presidents - Rajoelina reportedly sees the co-presidents' role as akin to that of an expanded vice president (playing an advisory role, and backing up the president), while Ravalomanana likely sees the co-presidents as fully-engaged partners in the presidency.

¶10. (SBU) A final challenge is purely logistical: the implementation of these agreements, and the installation of 400 to 500 appointees across the transition government, will be a massive, expensive bureaucratic exercise. There will be many moving parts that must all proceed in a coordinated manner, under a Prime Minister with very little executive experience, all of which will bear heavily on the outcome of a multi-stage electoral process in the next 12 months.

INTERNATIONAL REACTION

¶11. (SBU) UN SG Ban Ki-Moon has already released a statement congratulating the four leaders on the power-sharing agreement, and urging them to implement the deal quickly. France's FM Kouchner read a statement on November 7 calling on them to "show the same sense of national interest during

the transition period which now begins", and to quickly establish the transition's new institutions and organize upcoming votes. The European Union has yet to make a much-awaited decision on the status of its EUR 630 million of foreign assistance to Madagascar, and may not do so for some time (although the threat of cutting these suspended funds was key to encouraging the four leaders to reach agreement in Addis). The AU will meet today to discuss recent events, and will likely issue a statement supporting these developments, while waiting for implementation before considering Madagascar's full reinstatement to the organization.

¶12. (U) ACTION REQUEST: Post requests the Department to express high-level support for this agreement; with all eyes now on EU aid and US trade, this is a rare opportunity for us to congratulate Madagascar's leaders while maintaining real pressure on them to continue moving forward. Post would strongly prefer release of this statement in Washington, but is prepared to release it Tuesday here if necessary.
Following is a suggested text for Department consideration:

BEGIN STATEMENT

The United States is very encouraged by the consensual, inclusive agreement reached during the recent summit in Addis Ababa, Ethiopia. We congratulate all four political movements for their willingness to negotiate in the true spirit of compromise and for making concessions for the benefit of the Malagasy people. The U.S. government also applauds the tireless efforts of the International Contact Group led by former Mozambican President Joachim Chissano. The United States believes that continued compromise and inclusivity are vital to the return of a democratic and constitutional Republic of Madagascar. We call on all parties to respect the commitments they have made and continue to work together in good faith to implement the transition government, establish the independent national

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electoral commission, and set a realistic date for elections.

The United States stands ready to assist Madagascar in moving forward toward free and fair elections to be held as soon as possible in the coming year.

END STATEMENT

A MOMENT FOR OPTIMISM, IF STILL CAUTIOUS

¶13. (SBU) COMMENT: Post has not yet heard a definitive version of why Ravalomanana and Rajoelina at last saw eye to eye; it was likely a combination of factors that made this latest "last chance" effort bear results. Drame noted to the Ambassador that the almost daily contact with the State Department, particularly the telephone interventions of Ambassador Carter with Ravalomanana, had been beneficial, as had pressure from EU and French representatives on the ground in Addis. Rumors of a possible military takeover no doubt weighed on Rajoelina as well. But no less important was the extent to which the Malagasy people have grown tired of this conflict, and have lost faith in these squabbling politicians' ability to address their real concerns - which are overwhelmingly economic and social, and have little to do with national politics. Engagement by donors, including the USG, will be vital to the implementation of these agreements, as well as for the success of elections themselves. A decision to suspend AGOA at this time would be particularly poorly received by the Malagasy, and the rest of the international community. Indeed, in his November 9 briefing, Drame openly expressed the hope that this agreement and its implementation will be sufficient for the EU to forego sanctions and for the USG to maintain AGOA.

¶14. (SBU) The top-heavy nature of this government will undoubtedly lead to further disputes and power struggles, but this "Addis addendum" explicitly recognizes that the

transition government has no more important function than to organize transparent and credible elections. This agreement allows them to move from crisis to transition, and represents the single largest step forward since the crisis began almost a year ago. END COMMENT.

MARQUARDT